

ORIGINAL

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18 U.S. EQUAL EMPLOYMENT
19 OPPORTUNITY COMMISSION

20 UNITED STATES DISTRICT COURT
21 DISTRICT OF GUAM

22 U.S. EQUAL EMPLOYMENT
23 OPPORTUNITY COMMISSION,
24 Plaintiff,
25 v.

26 LEO PALACE RESORT,
27 Defendant.

28 JENNIFER HOLBROOK; VIVIENE
VILLANUEVA; and ROSEMARIE
TAIMANGLO,
Plaintiff-Intervenors,

MDI GUAM CORPORATION d/b/a LEO
PALACE RESORT MANENGGON
HILLS and DOES 1 through 10,
Defendants.

FILED
DISTRICT COURT OF GUAM

NOV - 6 2007 *hbc*

JEANNE G. QUINATA
Clerk of Court

) Case No.: 2:06-CV-00028
)
) PLAINTIFF EEOC'S PRETRIAL
) DISCLOSURES PURSUANT TO FED. R.
) CIV. P. RULE 26(a)(3)

) Trial Date: December 4, 2007
)

1 Plaintiff U.S. Equal Employment Opportunity Commission ("EEOC") makes the
2 following pretrial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(3).
3 EEOC reserves the right to supplement, amend, and/or correct the disclosures made
4 herein.

5
6 1. Witnesses pursuant to Fed. R. Civ. P. 26(a)(3)(A):
7

8 NAME	ADDRESS	TELEPHONE NUMBER
9 Tom Baubata, MSW, 10 ACSW	Family Pacific, Suite 102, Reflection Center, 222 Chalan Santo Papa, Hagatna, Guam 96910	(671)477-5715
13 Christine Camacho	K76, South Pacific Petroleum Corp., Route 4, Sinajan, Guam 96926	(671)898-7746
16 Leo Palace Custodian 17 of Records	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS & FOWLER, Suite 201, Orlean Pacific Plaza, 865 South Marine Corps Drive, Tamuning, Guam 96913	(671) 646-1222
22 Jennifer Holbrook, may 23 only be contacted 24 through counsel, Phil 25 Torres	TEKER TORRES TEKER, P.C., Suite 2A, 130 Aspinall Avenue, Hagatna, Guam 96910	(671)477-9891
26 Thomas Hong (Thomas 27 C. Son) 28	REDACTED	REDACTED

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NAME	ADDRESS	TELEPHONE NUMBER
	Hagatna, Guam 96932	
Hideo Iijima	Rota Resort & Golf Club, P.O. Box 938, Rota, M.P. 96951	(670)532-1155
Nilda Kowalski	Street address unknown, Corona Hills, California	REDACTED
Ken Kimura or Person Most Knowledgable Regarding Leo Palace's Financial Condition (for punitive damages)	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS & FOWLER, Suite 201, Orlean Pacific Plaza, 865 South Marine Corps Drive, Tamuning, Guam 96913	(671) 646-1222
May Paulino	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS & FOWLER, Suite 201, Orlean Pacific Plaza, 865 Sout Marine Corps Drive, Tamuning, Guam 96913	(671) 646-1222
Gregory Perez	REDACTED	
Lilli Perez Iyechad, PhD	Family Pacific, Suite 102, Reflection Center, 222 Chalan Santo Papa, Hagatna, Guam 96910	(671)477-5715
Michael Robbins	EXTTI, 153 Stagecoach Road, Bell Canyon, CA 91307-1046	(818)712-0203
Satoshi Suzuki	c/o Defense Counsel, Mr. Tim Roberts, DOOLEY ROBERTS &	(671) 646-1222

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NAME	ADDRESS	TELEPHONE NUMBER
	FOWLER, Suite 201, Orlean Pacific Plaza, 865 South Marine Corps Drive, Tamuning, Guam 96913	
Rosemarie Taimanglo, may only be contacted through counsel, Phil Torres	TEKER TORRES TEKER, P.C., Suite 2A, 130 Aspinall Avenue, Hagatna, Guam 96910	(671)477-9891
Christine Valencia	REDACTED	REDACTED
Rita Villagomez		unknown
	96921	
Vivienne Villanueva, may only be contacted through counsel, Phil Torres	TEKER TORRES TEKER, P.C., Suite 2A, 130 Aspinall Avenue, Hagatna, Guam 96910	(671)477-9891
Poinciana R. Villanueva	REDACTED	

2. Pursuant to Fed. R. Civ. P. 26(a)(3)(B), EEOC designates the following witnesses whose testimony is expected to be presented by means of deposition testimony:

NAME	ADDRESS	TELEPHONE NUMBER
Yutaka Maruyama	169 Tsuganodai, Chiba, Japan	043-287-8878
Gregory Perez	REDACTED	

1 EEOC lists Mr. Perez as a witness whose deposition it expects to present by means
2 of deposition testimony, only because he is a third party witness who resides outside the
3 jurisdiction of the United States District Court for the Territory of Guam. EEOC is
4 hopeful that he will testify in person.

5
6 3. Identification of Exhibits, Documents pursuant to Federal Rule of Civil Procedure
7 26(a)(3)(C):

8 Exhibit No.	Description
9 1	Dr. Perez-Iyechad Note Excusing Taimanglo from work, EEOC 0134 10 (also LPR 00062)
11 2	Taimanglo Leave Slip 8/26/04-09/01/04. EEOC 0133 (LPR 00064)
12 3	Dr. Perez-Iyechad Treatment Summary of Taimanglo, 3/21/07
13 4	Taimanglo 2004 1040A, 2203 1040A, 2005 1040A, 2006 1040A
14 5	Taimanglo Customer Service Training Certificate, EEOC 0139
15 6	Taimanglo Promotion Paperwork, EEOC 0141-0143
16 6	Taimanglo LOD. EEOC 0004-0005 (also LPR 00298-299)
17 7	Taimanglo Supp. Decl. to EEOC Charge, EEOC 0081-0084 (also LPR 18 00357-360)
19 8	Taimanglo Decl. to EEOC Charge, EEOC 0085-0088
20 9	Taimanglo Pre-Charge Questionnaire, EEOC 0096-0102
21 10	Taimanglo Resignation Letter, EEOC 0117
22 11	Notice of Taimanglo Charge, EEOC 0093 (also LPR 00355)
23 12	EEOC Investigator Interview w/ Taimanglo 4/5/05, EEOC 0412-413
24 13	Taimanglo Personnel File documents from 2003-2004, LPR 00058- LPR 25 00095
26 14	Taimanglo Handwritten notes re: Camacho, 0094
27 15	Taimanglo Dr. M. Libao notes 8/19/04, 1 page
28 16	Dr. Perez-Iyechad Note Excusing Holbrook from work, EEOC 0055

1	Exhibit No.	Description
2	17	Dr. Perez-Iyechad's Treatment Summary of Holbrook 3/21/07; Tom
3		Babauta, MSW, Treatment Summary of Holbrook, 3/19/07
4	18	Holbrook 2002 W-2s, 2006 W-2GU, 2003 Net Profit from Business, 2005
5		1040, 2003 1040 Guam Ind. Tax Return, 2005 1040-SS
6	19	Holbrook's 8/11/04 Written Statement to Paulino, EEOC 0052 (also LPR
7		00193)
8	20	Portions of Dr. Lilli Perez-Iyechad's Therapy Notes & Records Re:
9		Holbrook & Taimanglo
10	21	Holbrook LOD, EEOC 0002-0003 (also LPR 00296-297)
11	22	Holbrook Supplemental Declaration to EEOC Charge, EEOC 0011-0015
12		(also LPR 00363-365)
13	23	Holbrook Declaration to EEOC Charge, EEOC 0019-0020
14	24	Holbrook Resignation Letter EEOC 0034
15	24	Holbrook Pre-Charge Questionnaire, EEOC 0037-0043
16	26	Notice of Holbrook Charge, EEOC 0025 (also LPR 00361)
17	27	EEOC Investigator Interview w/ Holbrook 4/5/05, EEOC 0403-0404
18	28	Holbrook Personnel File LPR 00027-00056
19	29	Tom Babauta Note Excusing Villanueva from work, EEOC 0299
20	30	Villanueva Leave Slips 8/21-8/27 & 8/27-9/02, EEOC 0300-0301
21	31	Babauta Treatment Summary of Villanueva, 2/27/07
22	32	Villanueva 2006 W-2, 2005 1040EZ, 2004 1040EZ, 2003 1040EZ
23	33	Portions of Tom Babauta, MSW's Therapy Notes & Records Re:
24		Villanueva
25	34	Villanueva LOD, EEOC 0006-0007 (also LPR 00300-301)
26	35	Villanueva Supplemental Decl. to EEOC Charge, EEOC 0186-0188 (also
27		LPR 00368-370)
28	36	Villanueva Decl. to EEOC Charge, EEOC 0191-0192

1	Exhibit No.	Description
2	37	Villanueva Pre-Charge Questionnaire, EEOC 0199-0205
3	38	Villanueva Resignation Letter EEOC 0035
4	39	Villanueva Personnel Action Form 10/29/04, EEOC 0302
5	40	Villanueva Employment App, EEOC 0339-340
6	41	Notice of Villanueva Charge, EEOC 0196 (also LPR 00366)
7	42	Villanueva Personnel File LPR00133-LPR 00179
8	43	Letter from Torres to Paulino 8/16/04, 0103-0110 (also LPR 00182-
9		LPR00188)
10	44	Front Office Work Schedules, EEOC 0346-363, EEOC 0366-383; 0096-
11		0098 (also LPR 00270-00287; LPR 00759-00776)
12	45	Leo Palace Punch Detail Reports 5/30/04-8/28/04 Holbrook (LPR 00732-
13		758)
14	46	Torres Letter to EEOC 12/3/04, EEOC 0397-0402
15	47	EEOC Interview with Perez dated 2/24/05, EEOC 0422-425
16	48	Conciliation Failure Letter 5/22/06, EEOC 0416 (also LPR 00660)
17	49	EEOC Investigative File Case Log, EEOC 0430-0436
18	50	EEOC Investigator Interview w/ Paulino, EEOC 0426-0427
19	51	Notice of Like and Related Charges, EEOC 0024 (also LPR 00291)
20	52	EEOC Investigator Interview w/ Greg Perez, 2/24/05, EEOC 0422--0425
21	53	Iijima Personnel File LPR 01211-01236
22	54	Paulino Personnel File LPR 01237-01503
23	55	Suzuki Personnel File LPR 01553-1589
24	56	Letter from Suzuki to Paulino, EEOC 0273 (LPR 00004)
25	57	Paulino's notes of interview w/Holbrook 8/11/04, EEOC 0051 (also LPR
26		00192)
27	58	Paulino's notes of interviews w/Taimanglo 8/10/04; 8/11/04, EEOC 0110-
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1	Exhibit No.	Description
2		0111 (also LPR 00189- LPR00190)
3	59	Paulino's notes of interview w/ Camacho 8/11/04, EEOC 0234 (also
4		LPR00005)
5	60	Paulino's notes of interview w/Villanueva 8/11/04, EEOC 0236 (also LPR
6		00194)
7	61	Documents from Thomas Hong Personnel File, LPR 01506, LPR 01518,
8		LPR 01521-LPR 01525; LPR 01548-49
9	62	Camacho Personnel File, LPR 00001-LPR 00026
10	63	Leo Palace Resort Handbook/Benefits, 0068-0091 (also LPR 00331-
11		00354)
12	64	10/2/2003 Sexual Harassment Training Sign In Sheet (LPR 00416)
13	65	LeoPalace 2004 Medical & Dental Rates COBRA, EEOC 0131 (also LPR
14		00080)
15	66	Palacios Security Report 8/16/04, EEOC 0238-239 (also LPR 00002-
16		LPR00003)
17	67	Security Morning Briefing, 0092
18	68	Thomas Hong Sex Harassment Training, LPR 01504, LPR 01538
19	69	Leo Palace Handbooks, LPR 00713-00731; LPR 01177-01210
20	70	6/20/06 Sexual Harassment Memo H-0009 (LPR 00778)
21	71	612/16/04 Leo Palace Sex Harassment Memo (LPR00196-00197)
22	72	Sexual Harassment Sign In Sheets (LPR 00394-402)
23	73	Letter from Perez to Paulino re: Phone Policy (6/13/04), LPR 00543
24	74	EEOC Expert Michael Robbins, Expert Report and Supplements, EEOC
25		0445-460
26	75	Def. Leo Palace Resort's Responses to EEOC's Request for Admissions
27	76	Def. Leo Palace Resort's Responses to EEOC's First Set of Interrogatories
28	77	Def. Leo Palace Resort's Responses to EEOC's Interrogatories (Set Two)

Exhibit No.	Description
78	Def. Leo Palace Position Statement to EEOC 1/18/05, EEOC 0221-231 (also LPR 00224-00234)
79	Def. Leo Palace Letter dated 11/1/05 to EEOC, EEOC 0030-33 (also LPR 00660)
80	Def. Response to EEOC Request for Information #4 Re: Sex harassment Training, EEOC 0265, 0271 (also LPR 00255)
81	EEOC Request for Information #4 to LeoPalace 02/16/05, EEOC 0261-263 (LPR 00252-00254)
82	Defendant Leo Palace's Responses to EEOC's First Request for Production of Documents
83	Defendant Leo Palace's Responses to EEOC's Second Request for Production of Documents
84	Defendant's Initial Disclosures Pursuant to Local Rule 16.2
85	Financial Records of Leo Palace (to be subpoenaed for trial regarding punitive damages)

Date: November 4, 2007

UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

By:


Angela Morrison
Derek Li
Attorneys for Plaintiff